

**IN UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

JUXTACOMM TECHNOLOGIES, INC.

PLAINTIFF,

V.

- (1) ASCENTIAL SOFTWARE CORPORATION,
- (2) BUSINESS OBJECTS SA,
- (3) BUSINESS OBJECTS AMERICAS,
- (4) INTERNATIONAL BUSINESS MACHINES CORPORATION,
- (5) INFORMATICA CORPORATION,
- (6) MICROSOFT CORPORATION,

DEFENDANTS.

[illegible]

Civil Action No. 2:07-CV-00359-LED.

## JURY TRIAL DEMANDED

## PLAINTIFF'S REBUTTAL TRIAL WITNESS LIST

Plaintiff JuxtaComm Technologies, Inc. (“JuxtaComm”), pursuant to the Court’s Docket Control Order, identifies as potential rebuttal trial witnesses all individuals identified and categorized on Plaintiff’s Trial Witness List (Docket No. 640), as well as all individuals identified and categorized on IBM’s Trial Witness List (Docket No. 639) and Microsoft’s Trial Witness List (Docket No. 641). JuxtaComm reserves the right to also call as rebuttal witnesses, any witnesses appearing on any rebuttal trial witness lists filed by the Defendants. JuxtaComm’s inclusion of Defendants’ opening and rebuttal witnesses in its Rebuttal Trial Witness List is done without waiving any right to object to Defendants’ presentation of such witnesses at trial, without waiving any objections to the admissibility of the testimony and without waiving the right to move to exclude the testimony. JuxtaComm reserves the right to amend and/or supplement its Rebuttal Trial Witness

List to the extent permitted by the Federal Rules of Civil Procedure, by the Local Rules or by Order of this Court.

Dated: August 18, 2009

**AKIN GUMP STRAUSS HAUER & FELD LLP**

*R. Laurence Macon*

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– and –

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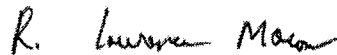
jw@jwfirm.com

**ATTORNEYS FOR PLAINTIFF**

**JUSTACOMM TECHNOLOGIES, INC.**

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this Trial Witness List was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(b)(1). Pursuant to Fed. R. Civ. P. 5(a)-(d) and Local Rule CV-5(b)(2), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email and/or fax, on this the 18<sup>th</sup> day of August, 2009.



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R. LAURENCE MACON